

The Technocrat in the Assembly

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December 4, 2015



Assemblyman Mike Gatto, D-Silver Lake

Innovation in California state government came with a catered dinner.

At least that's what participants in the Department of General Services' Green Gov Challenge were offered one Saturday last October as they pieced together data and codes with the ultimate goal of building a tool to discourage waste and encourage sustainability in state operations.

There would be no state-provided Red Bull to slam at this weekend code-a-thon, no harried late-night keyboard tapping with pizza-greased fingers. No, this was state government-sponsored, so the auditorium doors would close promptly at 6:30 p.m. on the first day. Amenities were limited to three meals and what one DGS official described as a "Taylor-Swift-concert-fast server."

Winners would get a share of \$25,000 in prize money. And the man whose work eventually led to this code-a-thon would hopefully get to breathe a sigh of relief.

"I have this tremendous anxiety that after the contests are closed there won't be anybody who applies and this will be a miserable failure," Assemblyman Mike Gatto, D-Silver Lake, said in the days before the DGS event. An attorney who worked at O'Melveny & Myers and later at Mayer Brown, Gatto carried legislation in 2014 that appropriated \$75,000 to fund three Innovation Award contests in three state agencies.

The idea for the awards, taken from Lt. Gov. Gavin Newsom's book *Citizenville*, was to engage Californians in their own government while demonstrating that a mammoth state bureaucracy could display some creativity. It's a familiar approach for the assemblyman, who's tried a number of novel ways to mix technology with governing during his six years in the Legislature—with mixed success. Disruptive ideas, he's found, don't always mix well with a staid legislative process.

"Any time we propose something it's certainly like there's a whole lot of what you could best describe as hesitation toward change or just a natural reaction against change," Gatto said. "Government is perceived as something that is slow to innovate. But if a government really sets its mind on it or an agency really sits its mind on it, they can be a font of tremendous innovation."

Lots of lawmakers have invited citizen-inspired legislation through "There Oughta Be a Law" contests. But Gatto was the first one in California to crowd source a bill through a wiki. In late 2013, he threw open the virtual lawmaking doors to the public, asking for help drafting a bill online. To avoid an avalanche of ideas, Gatto asked that the submissions focus on probate issues. What ultimately developed was a measure allowing the appointment of a guardian ad litem to manage pet trusts. Gov. Jerry Brown vetoed the bill, saying existing laws protected Fido just fine after a pet owner's death.

Undeterred, Gatto tried the wiki route again this year, asking Californians for ideas on possible privacy legislation. This time, contributors shaped a broad bill that would require businesses to ratchet up their protection of consumers' digital data. But Gatto's unusual approach to legislation ran up against a traditional legislative foe: interest groups. The Chamber of Commerce and tech groups opposed the bill, arguing that it would generate too many lawsuits. Assembly Bill 83 stalled in the state Senate,

although Gatto said he intends to revive the measure in 2016.

"Ideas are modified," Gatto said. "That's the legislative process."

Gatto was named chairman of the newly created Assembly Committee on Privacy and Consumer Protection this year. One of his first acts was to host a bipartisan informational hearing streamed live on Reddit, the social networking site whose Ask Me Anything feature can attract some rather blue questions and comments. Gatto said at the hearing's start that the panel would be willing to entertain at least one query about legislative hairstyles, but the 58 comments submitted were almost all serious comments on current hot-button privacy issues.

An avid reader, Gatto said he picks up ideas for legislation through authors' thoughts and by just talking with constituents. The assemblyman said he doesn't carry so-called sponsored bills, which is legislation written and managed by interest groups.

Legislative "success should be measured two-fold," Gatto said. "First, if you can make the government just a little bit more agile, and a little bit more up to date and current, then I think that's a victory ... And then the second thing I think is, the act itself, going through the process, is a victory because you're engaging people who would not otherwise be engaged. The people who went through the crowdsourced wiki legislation website and proposed ideas, these people feel listened to for the first time in probably a long, long time."

Gatto had lofty visions for his innovation awards. Three state agencies would offer \$25,000 each to winners who proposed the solution to a vexing problem, an innovative process or a way to streamline a process. He referenced a 2011 prize contest by the Federal Defense Advanced Research Projects Agency, or DARPA, that resulted in blueprints for a multi-purpose combat vehicle. The winner, a Peterbilt Trucks worker, took home \$7,500 for his efforts.

Once Gatto's legislation was signed into law, the assemblyman had to cede control of his idea. The governor, charged with choosing the executive branch agencies that would participate in the innovation contests, selected DGS, CalTrans and the Department of Alcoholic Beverage Control.

CalTrans and ABC chose a traditional contest, soliciting ideas to improve the state's transportation system and stop underage drinking. Both agencies were still reviewing submissions in late November and had not announced winners.

DGS, however, took a different approach, partnering with other state agencies and private companies to host the weekend code-a-thon. Despite Gatto's concerns that no one would show up to his innovation party, the event attracted 85 contestants from around the state that divided into approximately 15 teams.

The winner, Team Insight, took a database of state purchases and cross-referenced it with a United Nations database of sustainable goods to come up with an application for users to see just how environmentally friendly their shopping is—and could be if they made different choices. Team Insight won \$10,000 for its efforts and is now in discussions with DGS officials to see just how the intellectual property can be converted into practical, day-to-day use. Cash prizes also went to the second and third place teams as well as to a "People's Choice" award winner.

"The ingenuity and creativity of the participants was amazing," said Brian Ferguson, deputy director of public affairs for DGS. "This was outside of the box for state government. But everyone involved, including the judges ... everyone agreed that it surpassed expectations and was a success."

Gatto, termed out of the Assembly in 2016, is already thinking about his next idea for state government innovation. He said he's reading a lot.

"There are a lot of things worth thinking about, but I don't have those answers just yet," he said.

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